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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/747,998	12/29/2003	Seishi Ohmori	P2063US	6552

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DRINKER BIDDLE & REATH LLP  
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CHICAGO, IL 60606

EXAMINER
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MOREHEAD, JOHN H

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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09/25/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/747,998	OHMORI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	John Morehead	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 5-10, 12 and 14-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 5-10, 12 and 14-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3, 6, 9, 10, 12, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Narayanaswami US 6,657,654.
4. Re claim 1, Narayanaswami discloses a digital camera comprising: an optical system (fig. 4 element 116) which includes at least one lens (fig. 4 element 132) to optically process light from a source; an optoelectric converter (fig. 4 element 202) which converts the light from the optical system into an analog image signal; an analog-to-digital converter (fig. 4 element 204) which converts the analog image signal of the optoelectric converter into a digital image signal; a digital signal processor (fig. 4 element 206) which processes the digital image signal from the analog-to-digital converter; and a communication interface (fig. 2 element 140) for a portable phone (col.

4 lines 54-55), the portable phone (fig. 2 element 100) including a user input unit (fig. 2 element 106, col. 4 lines 11-16, element 106 is not shown on any of the figs, however the six squares on element 100 in fig. 2 is the user input unit), a display device (fig. 2 element 104), and a controller (fig. 4 element 208); and a slot (slot is formed by elements 114 and 144 located on element 112 as seen in fig. 2, col. 5 lines 3-10) into which the portable phone is inserted such that the communication interface is connected to a communication interface of the portable phone when the portable phone is inserted into the slot (see fig. 2), wherein a digital image signal of the digital signal processor is displayed on the display device of the portable phone and wherein a user input signal input through the user input unit of the portable phone is processed by the digital signal processor (col. 5 lines 23-62), and wherein the digital image signal of the digital signal processor is input to the controller of the portable phone through the communication interface and is controlled by the controller of the portable phone to be input to and displayed on the display device of the portable phone (figs. 2-4).

Re claim 3, Narayanaswami further discloses the digital camera of claim 1, wherein the user input signal is input through the user input unit of the portable phone to the controller of the portable phone transmitted to the digital signal processor through the communication interface, and processed by the digital signal processor (claim limitation has already been discussed and rejected, see claim 1).

Re claim 6, Narayanaswami further discloses the digital camera of claim 1, further comprising a means for storing digital data (fig. 4 elements 210 and 212, col. 5 lines 45-51).

Re claim 9, Narayanaswami further discloses the digital camera of claim 1, wherein the portable phone is able to operate the digital camera (col. 5 lines 32-43),

Re claim 10, Narayanaswami further discloses a digital camera and portable phone system comprising: an optical system which includes at least one lens to optically process light from a source; an optoelectric converter which converts the light from the optical system into an analog image signal; an analog-to-digital converter which converts the analog image signal of the optoelectric converter into a digital image signal; a digital signal processor which processes the digital image signal from the analog-to-digital converter; a communication interface for a portable; a user input unit; a display device; a controller; and a communication interface for a digital camera, wherein a digital image signal of the digital camera is displayed on the display device, and a user input signal input through the user input unit is processed by the digital camera and wherein the digital image signal of the digital camera is input to the controller through the communication interface and is controlled by the controller to be input to and displayed on the display device, and wherein the portable phone is inserted into a slot of the digital camera so that the communication interface is connected to a communication

interface of the digital camera. (claim limitations have already been discussed and rejected, see claim 1).

Re claim 12, Narayanaswami further discloses the system of claim 10, wherein the user input signal is input through the user input unit to the controller and transmitted from the controller to the digital camera through the communication interface (claim limitations have already been discussed and rejected, see claim 1).

Re claim 17, Narayanaswami further discloses the system of claim 10, wherein a user can use the portable phone to operate the digital camera (claim limitation have already been discussed and rejected, see claim 9).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
7. Claims 5, 7, 8, 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narayanaswami US 6,657,654 in view of Sawachi US 2002/0030744.
8. Re claim 5, claim 5 further requires the communication interface is a wireless communication interface

Narayanaswami fails to disclose the above limitation as recited above in claim 5. However, Sawachi discloses a portable multi function apparatus and controller wherein the communication interface between the controller and the portable multi function apparatus is wireless (Sawachi, fig. 10 para 0102).

Therefore taking the combined teachings of Narayanaswami and Sawachi, as a whole, it would have been obvious to one of ordinary skill in the art to modify the camera for use with a PDA of Narayanaswami to incorporate the wireless communication interface of the portable multi function apparatus by Sawachi to eliminate cumbersome wires between the PDA and digital camera, and to create an efficient means of transmitting data between the PDA and the digital camera.

Re claim 7, claim 7 requires the digital camera stores an audio signal input through a microphone of the portable phone.

Narayanaswami fails to disclose the above limitation as required in claim 7. However, Sawachi discloses a portable multi function apparatus and controller wherein the digital camera contains a sound obtaining unit in which audible sounds are captured

through a microphone and then processed for reducing noise or adjusting sound levels (Sawachi, para 0049).

Therefore taking the combined teachings of Narayanaswami and Sawachi, as a whole, it would have been obvious to one of ordinary skill in the art to modify the camera for use with a PDA of Narayanaswami to incorporate the sound obtaining unit of the portable multi function apparatus by Sawachi so that upon capturing videos and still images with the PDA, sound levels can be adjusted and reproduced for optimum quality.

Re claim 8, claim 8 requires the storing means is a memory card.

Narayanaswami fails to disclose the above limitation as required in claim 8. However, Sawachi discloses a portable multi function apparatus and controller wherein the digital camera has a memory card that allows the user to store image data (Sawachi, para 0089).

Therefore taking the combined teachings of Narayanaswami and Sawachi, as a whole, it would have been obvious to one of ordinary skill in the art to modify the camera for use with a PDA of Narayanaswami to incorporate the memory card slot of the portable multi function apparatus by Sawachi so that the user can store image data to a removable medium and be able to transfer the image data to various electronic devices that accepts memory cards.



Re claim 14, the combined teaching of Narayanaswami and Sawachi, as a whole, further discloses the system of claim 10, wherein the communication interfaces are wireless communication interfaces (claim limitation has already been discussed and rejected, see claim 5).

Re claim 15, the combined teaching of Narayanaswami and Sawachi, as a whole, further discloses the system of claim 10, wherein the portable phone reproduces an audio signal stored in the digital camera (claim limitation has already been discussed and rejected, see claim 7).

Re claim 16, the combined teaching of Narayanaswami and Sawachi, as a whole, further discloses the system of claim 10, wherein the portable phone reproduces an audio signal detected by the digital camera (claim limitations have already been discussed and rejected, see claims 7 and 15).

### ***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Morehead whose telephone number is 571-270-1183. The examiner can normally be reached on Monday - Friday (alt) 7:30-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JM

  
NGOC-YEN VU  
SUPERVISORY PATENT EXAMINER